

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
AT JACKSON**

<b>P &amp; G CONSTRUCTION</b>	)	
<b>CONSULTANTS LLC, as assignee,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>No. 1:22-CV-1218-STA-JAY</b>
	)	<b>JURY DEMANDED</b>
<b>PENNSYLVANIA NATIONAL</b>	)	
<b>MUTUAL CASUALTY INSURANCE</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

**AFFIDAVIT OF MATTHEW B. ROGERS**

Comes now attorney, Matthew B. Rogers, under oath and/or penalty of perjury, and based upon personal knowledge, states as follows:

1. I am over 18 years of age, am competent to testify, and am not laboring under any disability.
2. I am an attorney of record for the Defendant, Pennsylvania National Mutual Casualty Insurance Company ("Penn National"), in the above-styled case.
3. On behalf of Penn National, I drafted and filed a Motion to Compel Plaintiff's Rule 26 Initial Disclosures (Doc. 22) pursuant to Fed. R. Civ. P. 26 and 37 on March 10, 2023.
4. In reviewing, analyzing, preparing, and drafting the Motion to Compel, I billed Penn National a total of 2.3 hours of time at an hourly rate of \$135.00.
5. In total, Penn National incurred \$310.50 in attorney fees for obtaining the Order Granting Motion to Compel (Doc. 24) against Plaintiff.
6. A copy of the actual invoice entries billed to Penn National for securing the

relief in Penn National's Motion to Compel is attached hereto as **Exhibit 1**.

**VERIFICATION**

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

**Executed on: April 10, 2023**

Respectfully submitted,

s/Matthew B. Rogers  
**MATTHEW B. ROGERS**  
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**BREWER, KRAUSE, BROOKS & CHASTAIN,  
PLLC**  
545 Mainstream Drive, Suite 101  
Nashville, TN 37228  
Attorney for Defendant, Pennsylvania National  
Mutual Casualty Insurance Company

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of April, 2023, a true and correct copy of the foregoing **AFFIDAVIT OF MATTHEW B. ROGERS** was filed electronically. Notice of this filing will be sent by operation of the court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U. S. Mail. Parties may access this file through the court's electronic filing system.

Drayton D. Berkley, Esquire  
Berkley Law Firm, PLLC  
P. O. Box 771048  
Memphis, TN 38177

s/Matthew B. Rogers  
**MATTHEW B. ROGERS**

PTC:  
MBR:mbr